

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOEL M. CLAPP,

Plaintiff,

-against-

CAPT. STEVE VAIL, et al.

Defendants.

ORDER OF DISMISSAL

24-CV-00324 (PMH)

PHILIP M. HALPERN, United States District Judge:

By Order dated June 30, 2025, the Court revoked Plaintiff's in forma pauperis status pursuant to 28 U.S.C. § 1915(g) and directed him, within 30 days, to pay the filing fees required to commence a civil action in this court. (Doc. 33 at 5-6). That Order specified that "[i]f Plaintiff does not pay the fees within the time allowed, the Court will dismiss this action without prejudice." (*Id.*). Plaintiff has not paid the requisite filing fees within the time specified by the Court's prior Order. Accordingly, the complaint is dismissed without prejudice. *See Harris v. City of New York*, 607 F.3d 18, 24 (2d Cir. 2010).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: White Plains, New York
August 1, 2025



PHILIP M. HALPERN
United States District Judge